



PLANNING COMMISSION AGENDA

November 4, 2015, 7:00 p.m.

Multipurpose Room/Council Chamber

Burien City Hall, 400 SW 152nd Street

Burien, Washington 98166

This meeting can be watched live on Burien Cable Channel 21 or on www.burienmedia.org

1. ROLL CALL

2. AGENDA CONFIRMATION

3. APPROVAL OF MINUTES

None

4. PUBLIC COMMENT

Public comment will be accepted on topics not scheduled for a public hearing.

5. PUBLIC HEARING

A. Public Hearing, 2015 Zoning Code Amendments, Keeping of Animals and text corrections

6. OLD BUSINESS

A. Discussion of 2015 Zoning Code Amendments, Keeping of Animals and text corrections

7. NEW BUSINESS

A. None

8. PLANNING COMMISSION COMMUNICATIONS

9. DIRECTOR'S REPORT

10. ADJOURNMENT

Future Agendas (Tentative)

November 18, 2015

- Recommendation on 2015 Zoning Code Amendments, Keeping of Animals and text corrections.

December 9, 2015

- Meeting Canceled

December 23, 2015

- Meeting Canceled

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Planning Commissioners

Curtis Olsen (Chair)

Butch Henderson
Joel Millar

Amy Rosenfield (Vice-Chair)
Brooks Stanfield

Jim Clingan
Douglas Weber

**CITY OF BURIEN, WASHINGTON
MEMORANDUM**

DATE: October 29, 2015
TO: Planning Commission
FROM: Brandi Eyerly, AICP, Planner
SUBJECT: Public Hearing on Zoning Code Amendments for Corrections to Text and Update for Keeping of Animals.

PURPOSE/REQUIRED ACTION:

This purpose of this agenda item is for the Planning Commission to hold a public hearing regarding the Zoning Code Amendments “Minor corrections to text” and an update to BMC 19.17.100 Keeping of Animals. No action is required as a result of the Public Hearing, however if it so wishes the Planning Commission may discuss the amendments and make recommendations to the City Council at this meeting or wait until the November 18, 2015 meeting.

BACKGROUND:

At the Commission’s October 28, 2015 meeting, staff introduced draft code language for possible zoning code amendments to correct typographic errors, correct outdated references and codify current practices relating to a number of different sections of the Zoning Code. These minor code amendments are summarized in Attachment 1.

In addition amendments to BMC 19.17.100 Keeping of Animals was introduced. Burien’s code, in place since 2002, needs modifications to reflect the public’s growing interest in urban resilience, sustainability and a push for healthy eating. In December of 2014, Council considered the Commission’s October 8, 2014 amendment recommendations to the Zoning Code related to keeping animals on residential properties in Burien. Questions were raised concerning the impacts on adjacent properties resulting from the proposed changes and how violations of animal related provisions would be enforced. As a result, the proposed amendments were tabled for later consideration. The Planning Commission was reintroduced to the amendments at the October 28, 2015 meeting to consider formulating additional amendments to BMC 19.17.100 Keeping of Animals based on the City Council’s comments.

BMC 19.17.100 Keeping of Animals, Attachment 2 to this memorandum, contains amendments to the original Commission recommended to Council last fall. Deletions have been lined out and new code language underlined; the right margin contains background notes as well as Council and Commission comments as of October 28, 2015.

The addition of an animal noise enforcement section to either the animal or noise codes was a preferred alternative to prohibiting specific animals thought to be noise nuisances by both Council and Commission. Staff has researched other jurisdictions and provided the Commission at the August 12th meeting with those codes. Staff suggests the following, a combination from the Tukwila and Seattle codes, be added to the BMC 9.105.400 Noise (see Attachment 3):

(j) Any domesticated animal that howls, yelps, whines, barks or makes other oral noises, in such a manner as to disturb any person or neighborhood to an unreasonable degree. Except sounds made in animal shelters, commercial kennels, veterinary hospitals, pet shops, or pet kennels that have current permits issued under BMC Title 5 Business Licenses and Regulations, and are operated in compliance with BMC Title 19 Zoning Code.

Further discussion is needed on allowing the keeping of miniature goats. Two e-mail messages (Attachments 4 and 5) have been received both asking the Commission and Council to reconsider Miniature Goats as a household pet. One is from Deanna Moreau, Adoption Coordinator for New Moon Farm Goat Rescue and Sanctuary, stating that goats are herd animals and should always have goat companion. The second letter is from Julie Forkasdi, a Burien resident, who owned two miniature goats but had to give one away because her lot was not large enough per current code to have two. One public comment was received at the October 28th meeting against keeping of goats on residential lots because the feed and pens attracted vermin. A fourth comment was received in writing, dated October 30, 2015, from Jim Solaegui stating his concern with goats being kept as pets; he included information concerning rats, mice and raccoons. If more written comments are received prior to the hearing, they will be provided to you at the meeting.

Each proposed amendment is consistent with criteria for zoning code amendments in BMC 19.65.100. They have been reviewed for consistency with the Comprehensive Plan; bear a substantial relation to the public health, safety, or welfare, and are in the best interest of the community as a whole.

PLANNING COMMISSION ACTION

- A. Receive public testimony regarding the proposed.
- B. Discussion and recommendation on the proposed Zoning Code amendments is scheduled for the November 18, 2015 meeting.
- C. If the Commission wishes to make recommendations and vote on the amendments after the Public Hearing has been closed staff suggests the following steps and motion language.
 - (1) Make the motion
Approve: I move the Planning Commission recommend to the City Council approval of the 2015 Zoning Code Amendments for Corrections to Text and BMC 19. 17.100 Keeping of Animals as set forth in the October 29th staff memo and associated attachments.
Denial: I move the Planning Commission not recommend to the City Council approval of the 2015 Zoning Code Amendments for Corrections to Text and BMC 19. 17.100 Keeping of Animals as set forth in the October 29th staff memo and associated attachments.
 - (2) Discussion;
 - (3) Call for the vote on the motion.

If the Commission wants to discuss each amendment separately then the same procedure as above should be followed for each individual amendment.

If you have any questions before the meeting, please contact Brandi Eyerly at (206) 248-5519 or by e-mail at brandiE@burienwa.gov.

Attachments:

1. 2015 Minor Zoning Code Amendments Summary
2. October 29, 2015 Update BMC 19.17.100 Keeping of Animals
3. BMC 9.105.400 Noise with Draft Amendment for Animal Noise
4. October 5, 2015 E-mail Correspondence from Julie Forkasdi
5. October 7, 2015 E-mail Correspondence from Deanna Moreau, Adoption Coordinator, New Moon Farm Goat Rescue and Sanctuary
6. October 30, 2015 Letter from Jim Solaegui

2015 MINOR ZONING CODE TEXT AMENDMENTS

1. BMC 19.10.290, Repeal definition of “Interim Zoning Code”

Background: In 1993, the City of Burien adopted an interim zoning code, codified as Burien Municipal Code Title 18, establishing interim zoning regulations for the City of Burien. In 2011, Burien Municipal Code Title 18 was combined with Title 19 into a single zoning code, eliminating the redundancies between the two Titles. At that time, the definition of Interim Zoning Code, BMC 19.10.290, was not removed. As the interim zoning code no longer exists, the definition should be removed from BMC Title 19.

Proposed Amendment: Delete the definition of interim zoning code.

~~19.10.290 — Interim zoning code — The Interim Zoning Code of the City of Burien, as adopted by Ordinance 28, as amended.~~

2. BMC 19.17.090.5.I.iv, Home Occupations

Background: The reference to the building and fire code is outdated and should be updated to reflect the current codes.

Proposed Amendment: Update the Building and Fire Code reference from Uniform Building Code and Uniform Fire Code to the International Building Code and International Fire Code.

iv. Use or store hazardous substances in excess of those normally allowed in a residential area under the ~~Uniform~~ International Building Code and ~~Uniform~~ International Fire Code;

3. BMC 19.25.070.2.B & D Landscaping – Surface parking areas and BMC 19.25.120.4 Significant trees – Retention Required

Background: In 2009, the Airport Industrial (AI) standards were adopted and added to the zoning code. At that time, Landscape Category F, which addresses landscaping standards for the AI zone, was not included in all sections of the landscaping code. Staff compared the same uses allowed in other zones and found that they either required landscape category C or D.

Proposed Amendments: Add Landscape Category F to BMC 19.25.070.2.B & D and BMC 19.25.120.4

B. *Uses* requiring Landscape Category C, ~~or D~~ or F shall provide interior planting areas at a rate of:

i. Twenty square feet per parking stall when 10 to 30 parking stalls are provided; and

ii. Twenty-five square feet per parking stall when 31 or more parking stalls are provided;

D. *Evergreen* or canopy-type *deciduous* trees shall be provided and distributed throughout the parking area at a rate of:

i. One tree for every 10 parking stalls for a *use* requiring landscape category C₁ ~~or D or F~~; or

ii. One tree for every five parking stalls for a *use* requiring landscape category B.

4. Landscape categories C₁ ~~and D and F~~: Five percent of the *significant trees* located on the *site*, excluding *critical areas* or their *buffers*.

4. BMC 19.30.070.1 General requirements for all signs

Background: The current section of the sign code regarding site distance references BMC 18.30.200. Title 18 was repealed in August 2010 and therefore, BMC 18.30.200 needs to be removed from the code section.

Proposed Amendment: Replace BMC 18.30.200 with BMC 19.17.240.

1. Sight distance: In addition to any setbacks require by the Chapter, all signs (except for governmental signs related to traffic safety) shall comply with the sight distance requirements in ~~BMC 18.30.200~~ BMC 19.17.240, as amended.

BMC 19.17.100 Keeping of Animals

10/29/2015 Amendment Updates

1. Purpose. The raising, keeping and breeding of animals are sources of enjoyment, recreation and learning for Burien residents. The purpose of this section is to establish regulations for the keeping of animals in residential areas that will enhance and preserve compatibility between neighboring properties, minimize nuisances and disturbances caused by animals, minimize the impact of *livestock* on the environment and prevent cruelty to animals.
2. Permitted accessory use. The raising, keeping and breeding of *small animals*, bees and *livestock* are allowed as an *accessory use* to residential uses in any zone or as an *accessory use* to any permitted *use* in a *residential zone*, subject to the regulations of this section and BMC Title 6, Animals.
3. Prohibited activities. Commercial *kennels* and catteries and fee boarding of *small animals* or *livestock* are not allowed unless specifically allowed in Chapter 19.15, Use Zone Charts. This prohibition does not apply to hobby *kennels* and catteries that comply with the requirements of this subsection and BMC Title 6, Animals.
4. Small animals. The maximum number of *small animals* are as follows, provided young of adult *small animals* on the premises under 3 months in age are excluded from the density limitations:
 - A. *Small animals* which are kept in a dwelling as household pets including those kept in aquariums, terrariums, cages or similar containers shall not be limited in number, except as may be provided in BMC Title 6.
 - B. Other *small animals* kept outside, except those otherwise regulated by this subsection, shall be limited to three per household on *lots* of less than 20,000 square feet, five per household on *lots* of 20,000 square feet, with an additional one allowed per 5,000 square feet of *site* area over 20,000 square feet up to a maximum of 20.
 - C. The total number of unaltered adult cats and dogs per household shall not exceed three, whether those animals are kept in a dwelling or outside, unless approved under a hobby *kennel* or cattery license.
 - D. Miniature potbelly pigs. That type of swine commonly known as the Vietnamese , Chinese, or Asian Potbelly Pig (Sus scofa bittatus). One of the small animals allowed under 19.17.100.4.B, may be a miniature potbelly pig, provided that it does not exceed 22 inches in height at the shoulder or more than 150 pounds in weight.
 - E. Miniature goats. The types of goats commonly known as Pygmy, Dwarf, and Miniature Goats. Two miniature goats may be kept in addition to the small animals allowed under 19.17.100.4B, on any lot provided

D. Defines miniature potbelly pig for zoning code interpretation and compliance.

E. *NEEDS FURTHER DISCUSSION
Defines miniature goats for zoning code interpretation and compliance; establishes maximum number of miniature goats, size, outdoor space and enclosure requirements, setbacks from property lines, and outdoor feed storage containment.

- i. It does not exceed 24 inches at shoulder or more than 150 pounds in weight;
- ii. Male miniature goats shall be neutered and all goats shall be dehorned;
- iii. A minimum of 200 square feet of outdoor space with a shelter enclosure shall be devoted for each goat; and shall maintain a distance of not less than 10 feet to any *property line* and 20 feet from any *dwelling unit* on adjacent properties;
- iv. A fence no less than five (5) feet in height shall surround the outside area devoted to the goats;
- v. Outside food for immediate consumption and fresh water shall be kept under cover with sufficient area to shelter the goat(s) while eating or within the shelter enclosure;
- vi. Provisions must be made to ensure that food stored outdoors will not attract rodents or insects; and,
- vii. Nursing offspring of miniature goats may be kept until weaned, no longer than 12 weeks from birth.

F. ~~E.~~ Domestic fowl and Rabbits. Any combination of three (3) *domestic fowl* and rabbits, with the exception of roosters, may be kept on any *lot* in addition to the *small animals* permitted in the preceding subsections. ~~On lots of at least one-half acre, domestic fowl and rabbits may be kept at the rate of 7 per one-half acre.~~ Five (5) on lots equal to or greater than 7,200 square feet, 1 additional *domestic fowl* or *rabbit* may be kept per each 2,000 square feet of lot area to a maximum of 15; over 15 domestic fowl may be kept on lots greater than 20,000 square feet if a farm management plan, developed with the King Conservation District, is implemented and maintained.

- i. A suitable pen, structure or enclosure to house and safeguard domestic fowl and rabbits from predators shall be provided and located no less than 10-feet from the property line.
- ii. Maintenance and upkeep of *domestic fowl* and rabbit areas shall meet the following United States Department of Agriculture (USDA) prevention measures to minimize public health concerns and nuisances:
 - a. Remove wet manure, bedding and feed to minimize odor, prevent bacterial growth and limit flies that can spread contamination;
 - b. Store feed in rodent-proof containers;
 - c. Properly compost chicken manure prior to using it for fertilizer to prevent the growth of harmful bacteria; and,
 - d. Regularly clean and sanitize feeders and water dispensers.

G.~~F.~~ Birds. Birds kept outside of a *dwelling unit* shall be kept in an aviary or loft that meets the following standards:

- i. The aviary or loft shall provide one-half square foot for each parakeet, canary or similarly sized birds, one square foot for

4/27/15 Council – Delete section.
Keep miniature goats in livestock section 4.D.

8/12/15 Commission – Delete section.
Keep miniature goats in livestock section 4.D.

10/21/15 Staff – Recommend revisiting this section to allow 2 goats. We have received 2 e-mail letters recommending allowing miniature goats on single-family residential lots (see Attachments 4 & 5).

10/28/15 Commission – 1 public comment at the meeting was against allowing miniature goats on residential lots because the feed and water attracts rats and other vermin.
Commission Questions
How large is a miniature goat?
Is 200 s.f. sufficient for a 150 lb. goat?

E. New code language for rabbits and domestic fowl. Establishes maximum number of domestic fowl and minimum lot sizes, enclosure requirements, setbacks from property lines, and maintenance and upkeep of domestic fowl areas.

4/27/15 Council - Raise the number allowed from 4 to 5 chickens on a 7,200 square foot lot.

It is ok to increase the number of domestic fowl; however it should be the same for rabbits as long as it is fowl and/or rabbit combination.

8/12/15 Commission – Agreed with Council.

- each pigeon, small parrot or similarly sized bird, and two square feet for each large parrot, macaw or similarly sized bird;
- ii. Aviaries or lofts shall not exceed 700 square feet;
- iii. The aviary is *set back* at least 10 feet from a separate owner's *property line*, and 20 feet from any *dwelling unit* on adjacent properties.

H.G. Setbacks, maintenance and upkeep of animal areas. Except otherwise regulated by this subsection, setbacks, maintenance and upkeep of animal areas shall meet the following standards:

- i. Any covered structure used to house or contain 4 or more small animals shall maintain a distance of not less than 10 feet 20 feet to any property line; and 20 feet from any dwelling unit on adjacent properties;
- ii. All covered structures, confinement areas and open run areas shall be kept clean to prevent infestation of insects, rodents or disease as well as to prevent obnoxious or foul odors;
- iii. Animal waste shall be properly disposed of and any accumulated animal waste must not be stored within the setback area. Any storage of animal waste must not constitute a nuisance as defined in BMC 8.45 Nuisances;
- iv. Manure when used as a fertilizer must be plowed or spaded under within 24 hours after application;
- v. Store feed in rodent-proof containers; and,
- vi. Provisions shall be made to ensure that animal food stored outdoors will not attract rodents or insects.

I.H. Prohibited small animals. The keeping of roosters, mink, foxes and any exotic or wild animals that could pose a public threat or have an obnoxious nature which is a nuisance to the adjacent neighborhood are prohibited.

5. Beekeeping.

- A. *Beehives* are limited to 2 hives on *sites* less than 10,000 square feet, 4 on *sites* between 10,000 and 20,000 square feet, 10 on *sites* between 20,000 square feet and 1 acre, 20 on *sites* between 1 and 1.5 acres, and 25 on *sites* between 1.5 and 5 acres. ~~Hives shall be located at least 25 feet from any property line, except when placed behind a 6 foot high fence, which extends 25 feet beyond the hives in both directions, or placed at least 8 feet above the adjacent ground level.~~
- B. ~~BeeHives~~ shall be located at least 25 feet from any *property line*, except when placed behind a 6 foot high *fence*, which extends 25 feet beyond the hives in both directions, or placed at least 8 feet above the adjacent ground level.
- C. Colonies shall be maintained in movable-frame hives at all times.
- D. Adequate space shall be provided in each hive to prevent overcrowding and swarming.

H. Establishes setbacks, maintenance and upkeep of outdoors animal areas for those subsections not otherwise regulated i.e. unaltered adult cats and dogs, miniature potbelly pigs, rabbits, and other small animals.

4/27/15 Council - Keep existing 20 foot from property line & delete proposed "20 feet from any dwelling unit on adjacent properties".

8/12/15 Commission - Smaller width lots i.e. 30 to 40 feet, will be unable to meet the 20 foot setback from the property line. Purpose of amending Keeping of Animals Code is to allow more flexibility and give residents of smaller lots the opportunity to raise small farm animals. Keep this section as amended.

I. NEEDS FURTHER DISCUSSION

4/27/15 Council - Enforce animal noise on a complaint basis rather than ban a specific type of animal or bird.

Should have a noise ordinance in place with regard to animals, which could address the issue of potentially noisy and disruptive animals.

7/22/2015 Commission – Agrees, requests new language for Noise Ordinance.

10/28/2015 Staff – New paragraph inserted in Noise Ordinance (see Attachment 3).

5. A. Strike out language, it is repeated in B. Add "Bee" to be consistent with definitions.

E. Colonies shall be requeened following any swarming or aggressive behavior.

F. All colonies shall be registered with the State Department of Agriculture.

G. Abandoned colonies, diseased bees, or bees living in trees, *buildings*, or any other space except in movable-frame hives shall constitute a public nuisance, and the City shall take appropriate legal action to abate the nuisance.

No amendments were made to Sections 6. Livestock and 7. Categorization of Animals.

6. Livestock.

A. The minimum *site* that may be used to accommodate *livestock* shall be 35,000 square feet, provided that the portion of the total *site* area available for use by the *livestock* meets the requirements of this subsection.

B. The maximum number of *livestock* shall be as follows:

i. Horses, cattle and similar sized *livestock* animals: 1 per acre of area available for the animal's occupancy;

ii. Llamas, donkeys, miniature horses and cattle and similar sized livestock animals: 1 per .5 acre available for the animal's use;

iii. Sheep, goats and similar sized *livestock* animals: 1 per .25 acre of area available for the animal's occupancy;

iv. Young of adult *livestock* on the premises that are under six months of age are excluded from the density limitations; and

v. *Livestock* densities may be increased as follows if a farm management plan, developed with the King Conservation District, is implemented and maintained: Three (3) horses, cows, or similarly sized animals, six (6) llamas, donkeys, miniature horses and cattle or similarly sized animals or fifteen (15) sheep, goats or similarly sized animals per gross acre of total *site* area. The farm management plan shall incorporate best management practices for grazing and pasture management, manure management, watering and feeding area management, and *stream* corridor and *wetland* management. Such plans must include a schedule for implementation and shall be on file with the Department of Community Development. Any Indian tribe with tribal rights to protection of the fisheries habitat provided by the *site* shall have 60 days from plan submission to comment on the plan. The plan must, as a minimum, achieve 25-foot vegetated *buffers* or all *streams* and *wetlands* on the *site*, and assure that drainage ditches on the *site* do not channel animal waste to such *streams* or *wetlands*.

C. Critical areas. The keeping of *livestock* is subject to the review requirements for *wetland* and *stream* protection in BMC 19.40, Critical areas.

D. Setbacks. The following *setback* and buffer requirements apply to the keeping of *livestock*.

i. Any *building* used to house, confine or feed *livestock* shall not be located closer than 35 feet to any boundary *property line*;

ii. Any *building* used to house, confine or feed *livestock* shall not be located closer than 35 feet to any *dwelling unit* or *accessory living quarters* on the same premises, except that a barn or stable may contain a caretaker's *accessory living quarters*;

- iii. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any *dwelling unit, accessory living quarters* or boundary *property line*; and
 - iv. *Grazing* and *confinement areas* may extend to the *property line*.
- E. Prohibited livestock. The keeping of hogs is prohibited, with the exception of miniature potbelly pigs allowed under subsection 19.17.100.4.D.
7. Categorization of animals. In the event that animals are proposed that do not clearly fall within the categories established by this code, the *Director* shall determine an appropriate category based on that which is most similar to the animal in question. [Ord. 355 §1, 2002]

BMC 9.105.400 Noise.

(1) General Prohibition. It is unlawful for any person to cause, or for any person in possession of property to allow to originate from the property, sound that is a public disturbance noise.

(2) Illustrative Enumeration. The following sounds are public disturbance noises in violation of this article:

(a) The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law.

(b) The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle or internal combustion engine within a residential district, so as to unreasonably disturb or interfere with the peace and comfort of owners or possessors of real property.

(c) Yelling, shouting, whistling or singing on or near the public streets, particularly between the hours of 10:00 p.m. and 8:00 a.m. or at any time and place as to unreasonably disturb or interfere with the peace and comfort of owners or possessors of real property.

(d) The creation of frequent, repetitive or continuous sounds which emanate from any building, structure, apartment or condominium, which unreasonably disturbs or interferes with the peace and comfort of owners or possessors of real property, such as sounds from musical instruments, audio sound systems, band sessions or social gatherings.

(e) Sound from motor vehicle audio sound systems, such as tape players, radios and compact disc players, operated at a volume so as to be audible greater than 50 feet from the vehicle itself.

(f) Sound from portable audio equipment, such as tape players, radios and compact disc players, operated at a volume so as to be audible greater than 50 feet from the source, and if not operated upon the property of the operator.

(g) The squealing, screeching or other such sounds from motor vehicle tires in contact with the ground or other roadway surface because of rapid acceleration, braking or excessive speed around corners or because of such other reason, provided that sounds which result from actions which are necessary to avoid danger shall be exempt from this section.

(h) Sounds originating from construction sites, including but not limited to sounds from construction equipment, power tools and hammering, between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 10:00 p.m. and 9:00 a.m. on weekends; provided, however, the city manager shall have the discretion to issue variances for city of Burien public works projects if the city manager determines, after considering the relative interests of the applicant, other owners or possessors of property likely to be affected by the noise, and the general public, that the noise occurring or proposed to occur does not endanger health and safety of a substantial number of persons.

(i) Sounds originating from residential property relating to temporary projects for the maintenance or repair of horns, grounds and appurtenances, including but not limited to sounds from lawnmowers, powered hand tools, snow removal equipment and composters between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 10:00 p.m. and 9:00 a.m. on weekends.

(j) Any domesticated animal that howls, yelps, whines, barks or makes other oral noises, in such a manner as to disturb any person or neighborhood to an unreasonable degree. Except sounds made in animal shelters, commercial kennels, veterinary hospitals, pet shops, or pet kennels that have current permits issued under BMC Title 5 Business Licenses and Regulations, and are operated in compliance with BMC Title 19 Zoning Code.

(3) Exclusion. This chapter shall not apply to regularly scheduled events at parks, such as public address systems for baseball games or park concerts between the hours of 9:00 a.m. and 10:30 p.m.

(4) Penalty. Any person who violates the provisions of this article shall be subject to a civil fine not to exceed \$250.00 for a first offense. For second and subsequent offenses, the person shall be guilty of a misdemeanor.

[Ord. 365 § 1, 2002; Ord. 63 § 81, 1993]

Brandi Eyerly

From: Julie Forkasdi <julieforkasdi@gmail.com>
Sent: Monday, October 05, 2015 4:48 PM
To: Brandi Eyerly
Cc: steve s
Subject: Goats in Burien

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission,

Our family adopted a couple goats about a month ago. Before we adopted them, we met with someone at the city to discuss the code regarding keeping goats. We were told Burien currently allows one goat per household. As you may know, most goats need to be part of a herd to be happy and well adjusted. Having only one goat can cause it to become depressed and unhappy which can lead to unwanted goat behavior such as making a lot of noise and climbing fences. During this discussion we were told the Council was voting on increasing the number of goats allowed per household. It was also suggested we contact King County Conservation to ask for special permitting. Basically, the city was saying, you will be able to get your goats.

Adopting rescue goats has been a long time dream for me and our family. I took a class at Seattle Tilth about eight years ago and even back then, Seattle allowed goats.

Recently a disgruntled neighbor of ours contacted the city and reported we had goats. When I called this neighbor to discuss his reason for the call he claimed he was upset about rats not the goats. At the time of his call, it had been a week since adopting our goats and to my knowledge no sudden increase of rats running around the neighborhood. Our neighborhood has had rat issues since I have been living here. It was a hurtful call to say the least. Linking our yard to the area's rat problem is absurd. In the past, we did have rat issues and took steps to get rid of them including hiring a pest control company.

I tell you this story to provide an example of why Burien's animal codes needs to be updated. Our goats are sweet, funny and apart of our family. We plan on using one of them as a therapy pet for some of my aging and mentally ill client's.

We feel very supported by all the people we have talked to from the City of Burien. We hope that the City Council will vote to make having multiple goats legal so responsible pet owners will be in alignment with the law and will also be protected from petty and revengeful neighbors. Our wish is for the Planning Committee to recommend up to three goats per household as Seattle and King County allow.

My Best Regards,

Julie Forkasdi, Burien resident
11216 26th Ave SW

ATTACHMENT 4

Carol Allread

From: Public Council Inbox
Sent: Monday, October 12, 2015 3:23 PM
To: 'Deanna Moreau'
Subject: RE: Ordinance - pet goats

CTTC: 10/19/15

CC: Chip Davis,
Community Development Director

Dear Ms. Moreau,

Thank you for writing to the City Council to express your concerns. Your email will be included in a future Council agenda packet as Correspondence to the Council.

Sincerely,

Carol Allread
Executive Assistant
City Manager Office
206-248-5508

From: Deanna Moreau [mailto:adopt@newmoonfarm.org]
Sent: Wednesday, October 07, 2015 12:53 PM
To: Public Council Inbox <council@burienwa.gov>
Subject: Ordinance - pet goats

Dear Councilmen and Councilwomen,

I am writing on behalf of pet goats and pet goat owners to address the current rule of one goat per household.

Goats are wonderful pets but are a herd animal. To maintain health, emotionally and physically they require another goat companion.

As the adoption coordinator at New Moon Farm Goat Rescue and Sanctuary in Arlington, we work closely with our adopters so they know the importance of maintaining a good environment for their pet; space, shelter, health and fencing. Goats are always adopted in a minimum pair unless they are being added to an existing herd.

Goats are easy to clean up after, they don't have an offensive odor and are much quieter than most of our neighborhood dogs. The one exception is an unaltered male, and nobody wants an unaltered male goat as a pet. At the rescue we don't even allow adoption until a buck has been wethered (neutered).

Thank you for being open to a revision for the well being of the animals and happiness of pet owners!

I tried to keep it short and sweet!

Deanna Moreau
Adoption Coordinator
New Moon Farm Goat Rescue and Sanctuary
844-438-4628 Ext 1
Newmoonfarm.org
Adopt@newmoonfarm.org

ATTACHMENT 5

RECEIVED

OCT 30 2015

CITY OF BURIED

October 30, 2015

Ms. Brandi Eyerly

City of Burien

400 SW 152nd St., Suite 300

Burien, WA 98166

RE: Review and Amendment Proposals to BMC 19.17.100 "Keeping of Animals"

Dear Ms. Eyerly:

In regard to the described amendments to BMC 19.17.100, I respectfully request that the Planning Commission not allow a greater density of goats than currently described in the Burien Municipal Code.

Goats are livestock, animals not traditionally kept in dense residential neighborhoods, and must be kept outdoors. Their food and water must remain outdoors and so may become attractive to vermin such as rats and raccoons. Publications from WSU Extension and King County (attached) note that eliminating food sources and habitat are essential for controlling rats and raccoons. Without control of how the goats are fed and watered, neighboring properties can be subject to vermin infestation.

Goats require clean water every day. This water will be attractive to vermin year round, but especially during hot and dry or cold and dry periods when open water is scarce.

Goats are generally browsing animals but a commercial grain supplement is needed ensure health. If the intent of the code amendment is to allow for goats as pets, oats, barley or other grains or supplements will probably also be provided by the keeper as 'treats' and for health. If the intent of the code amendment is to allow for goats as milk sources, besides feeding for health, the does are often induced into the milking stand by offering grain. Unless all spillage is scrupulously cleaned up after these instances the residue has the potential to become a food source for vermin.

Provisions in the amendment to require food be stored in sealed or rodent proof containers are unenforceable. Goat owners can easily revert to whatever method of food storage is convenient for them. Rats in particular are very creative in finding ways to get fed.

ATTACHMENT 6

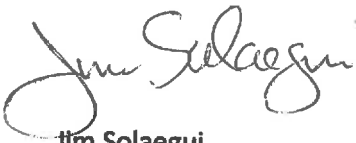
For does to produce milk they must be bred every year or so and become pregnant to continue lactating. Because they are kept outside the birth residue must be scrupulously cleaned up to discourage vermin. Birthing could occur several times a year depending upon the sex and number of animals allowed on a property.

The code revision suggests a 150 pound weight limit for goats. This is a large animal, heavier than all but the largest dogs. Small residential lots may not provide sufficient area for a shelter and corral to adequately house such large animals and keep them away from neighboring properties. If the code amendment is enacted, please consider limiting goats to the smallest breeds, those less than 100 pounds, and on adequately sized lots.

The point has been made that at least two goats must be allowed on a property to meet the herd and social requirements of goats. Dogs are pack and social creatures too but they are traditional pets, not livestock. We do not require two or more dogs to be kept. Society expects their human keepers to provide their companionship and social needs and, in the dense urban environment, that the dogs are fed, watered and housed indoors for much of the time.

I offer my thanks and appreciation to the Planning Commission for considering my point of view.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Jim Solaegui". The signature is fluid and cursive, with the first name "Jim" being more prominent than the last name "Solaegui".

Jim Solaegui

11219 25th Ave SW

Burien, WA 98146

Attachments:

WSU Community Horticulture Fact Sheet #51

King County Health Services information sheet, "Diseases from raccoons"

King County Health Services website, "How to get rid of rats"

Rats and Mice

Rats can be a problem anywhere. They infest old buildings and crowded, unsanitary areas. They can also be a problem even where newer homes and sanitary conditions exist.

Identification: The two rats most commonly found around the Puget Sound are the Norway rat (*Rattus norvegicus*) and the roof rat (*R. rattus*), also known as the black rat. The Norway rat is a big, hefty rat and is much larger than the other rodents in the neighborhood. Norway rats can weigh 1¼ pounds, while the roof rat stays at an agile ½ pound when fully grown. Roof rats have a longer tail, pointier snout and longer ears. The Norway rat's tail is shorter than the length of the body. Both rats have naked tails, but the Norway rat's tail appears two-tone from the partially haired skin.

Life History: Rats are perfect pests. They have a high reproductive capacity and can compete well against other pests for our rubbish. Rats can reproduce all year long, depending on environment and food availability. Peak reproduction usually occurs in the fall. Both species average about eight offspring per litter. A single female rat can produce as many as 80 rats in her lifetime. Gestation and weaning of young last about two months. Baby rats can be reproductively mature within three to four months. If you do the math, you'll see that under good conditions rat populations can build quite rapidly.

Rats will eat just about anything humans eat. They get plenty to eat from home gardens, fruit and nut trees, and even parts of some ornamental shrubs and flowers. They feed on garbage that humans throw out. Use of garbage disposals attracts rats into sewer lines. They have been known

to attack other animals, such as insects, birds, fish and other mammals (including humans).

They can burrow long distances from nest to food source, thereby reducing their exposure to predators. They can scale walls and walk along telephone wires. They can survive a fall of 50 feet.

It's no surprise that they are almost impossible to eradicate.

Damage: Historically, rats have been associated with death and disease. Rats are the carrier of the Bubonic plague, along with other nasty diseases, and have been responsible for millions of human deaths. When rats are populous, they act as the perfect reservoir of disease, because they are so closely associated with our lifestyles and homes.

Most of us aren't too worried about disease but still cannot tolerate rats in and around our homes. Rats get into everything and can ruin our food and gardens. Rats contaminate our living spaces and food by leaving behind feces and urine. Rats dig into garden beds and gnaw at our electrical wires. They can do physical damage to our homes and property with their foraging, and they gnaw into paper, books, upholstery, wood, etc., which they use as nesting material.

They have also been known to bite and scratch people and even to attack small pets.

Mice

Mice don't pose as serious a problem as rats, but they can be quite a nuisance. They also eat and contaminate food with their urine and droppings. They gnaw on wiring and create fire hazards. In the garden, mice

move along mole tunnels and feed on plant roots and bulbs.

Mice can transmit disease, but the spread of disease by mice is not considered a serious health hazard.

Monitoring: Be sure to visit neglected areas of your home and yard regularly. These include crawlspaces, attics, and the nooks and crannies around pipes. The frequency of your visits should increase as temperatures drop in the fall and winter. This is when rats and mice seek shelter, and their populations increase. Look for evidence of activity, such as nibbled wood, drywall, and paper scraps. Rats leave behind droppings that are dark, elongated pellets about ½ inch long. Mouse droppings are the size of grains of rice.

Rats also tend to run along the same trails. Preferred trails of Norway rats are next to vertical edges, such as where the floor meets the wall, or along foundations at ground level. Often grease marks are left from the fur of rats and mice rubbing along the wall. Roof rats are excellent climbers and will scale walls along gutters and pipes, and will climb on wires, trees, and vines.

Management: The best way to control rats and mice is through cultural changes to deter them from nesting and foraging around your house and yard.

Don't feed them!

- Secure stored food products in rodent-proof containers, such as metal bins with tight sealing lids. Be sure to securely store animal food, such as dog food and bird seed, in a similar manner. Glass storage jars are great for preventing rodents from feeding on stored foods. Rats can chew through some plastics and wood.
- Clean up ripe vegetables and fruits from the yard. If you compost, learn how to keep rats away from your bins.
- Be sure to keep your garbage cans secure and closed. Metal cans are

best to avoid rats from chewing into the can. A bungee cord is a great way to keep the lid closed.

- Pick up pets' droppings and leftover food.

Don't give rats and mice a home!

- Remove dense vegetation that offers shelter. Blackberry patches and English ivy provide great protection for rats.
- Keep newspaper stacks, woodpiles, and hay stacks clean and away from your house. If possible, set piles up off the ground.
- Fill in burrows and holes that rats and mice may use to nest in. Rats are excellent burrowers.
- Seal up gaps or cracks along the foundation.
- Check for entrances that mice might use. They can squeeze through very small spaces.

Keep rats out of your home!

- Remove vines that attach directly to the house, such as climbing ivy, or wisteria.
- Do not let tree branches touch the roof.
- Place sturdy screen around vents and openings. The mesh size should measure no more than ¼ inch.
- Repair gaps in sewer lines and other pipes leading to the house.
- Place sturdy covering on drain holes.

If you have taken all the control measures listed above and still have a problem with rodents, you can try trapping. Snap traps are effective and are the most advisable mode for killing mice and rats. Set traps in areas where they are active, such as along wall boards and nest entrances, but do not place them in areas that could cause harm to people and pets. Be sure to follow the instructions carefully. Traps can be dangerous and painful if sprung at an inopportune time.

You will need more traps than rodents. Place the traps close to each other – 3 to 4 feet for mice, and 10 to 15 feet for rats – and move them every few days. Place them with the trigger end against walls, where rodents like to run.

Rodenticides and poison baits should be used as a last resort. If problems are serious and pesticides are warranted, contacting a pest control professional is advised.

If you use a rodenticide yourself, always read and follow the directions on the label. Poison baits can be harmful to

children, pets, and non-target animals. **If poisons are to be used, all other sources of food must be eliminated.**

Cats are effective at hunting and deterring rats and mice in your home and yard. The presence of cat urine is known to cause predator-avoidance behavior in rats and sends them scurrying. Regardless of the management tactic that is decided upon, habitat reduction and prevention are critical for reducing problems with rodents.

Diseases from raccoons

Why be concerned about raccoons?

Raccoons have adapted to urban and suburban life and are commonly seen or encountered by King County residents in parks, neighborhoods or yards. Raccoons may carry diseases that can be spread to people (zoonoses) and pets. They can also cause serious scratch and bite injuries.

Rabies

- Rabies is a disease caused by a virus and it is almost always fatal. It is spread through a bite by an infected animal. Although rare, it can be spread through infected saliva getting into an open wound.
- Rabies can be successfully prevented in people by giving rabies vaccines shortly after an exposure.
- Raccoons are the most frequently reported animal species with rabies in the U.S., specifically in eastern and southeastern parts of the country.
- Although there have been no rabies cases identified in raccoons in Washington state, we cannot be certain that rabies is not present in raccoons or that it may not occur in the future.
- All raccoon exposures including bites and scratches should be assessed by a health care provider and reported to Public Health. Raccoon exposures to pets should be reported to the Public Health Veterinarian.

For more information see: [Rabies Virus Infection](#) (CDC)

Raccoon roundworm

- Many raccoons carry a roundworm called baylisascaris. Infected raccoons pass baylisascaris eggs in the feces. Other animals and people can get infected if they accidentally swallow the eggs in soil or water. Developmentally disabled persons or young children who play outside are at highest risk.
- After the eggs are swallowed they hatch into larvae that move to different parts of the body and can cause serious illness within a week. Symptoms may include tiredness, lack of coordination, loss of muscle control, blindness, and coma.
- Baylisascaris infection is rare, but is believed to be underdiagnosed. Anyone suspected of having swallowed raccoon feces should seek health care immediately. Early treatment can prevent infection and serious illness.

For more information please see:

- [Baylisascaris infection](#) (CDC)
- [How to clean up a raccoon latrine](#)

Leptospirosis

- Leptospirosis is a disease caused by Leptospira bacteria that are carried in the urine of rats, raccoons, and some other animals. People and animals can get infected when water contaminated with urine of infected animals gets on their skin, or in the nose, mouth, throat, or eyes, or is swallowed. Dogs are especially at risk and may die from the disease.
- Leptospirosis may cause influenza-like symptoms, severe head and muscle aches, high

fever, and in some cases serious liver and kidney problems.

For more information please see:

- [Leptospirosis facts](#) (CDC)
- [Leptospirosis facts](#) (Public Health – Seattle & King County)

Preventing diseases from raccoons

- Discourage raccoons around your residence:
 - Never feed raccoons
 - Feed pets inside and store pet food inside
 - Keep pets inside at night
 - Prevent raccoons from entering your house through pet doors or other openings
 - Keep garbage cans inside and use locking or secured lids outside
 - Clean barbecue grills after each use
 - Use secure bins for food composting
- Avoid contact with raccoon feces and safely clean up areas where raccoons defecate (raccoon latrines) on your property.
- Avoid direct contact with water, soil and vegetation contaminated with raccoon urine.
- Contact an experienced wildlife control service for help cleaning up latrines and removing problem raccoons. Refer to the directory of [Nuisance Wildlife Control Officers](#) trained and regulated by the Washington Department of Fish and Wildlife.
- Vaccinate cats, dogs and ferrets to protect them against rabies; consider vaccinating dogs for leptospirosis.
- For more information see: [Raccoon facts](#) (Washington Dept. of Fish and Wildlife)

Contact us:

- Report all King County *human* cases to Public Health's Communicable Diseases and Epidemiology office at 206-296-4774.
- Report all King County *animal* cases to Public Health's Environmental Health Services office at 206-263-9566.

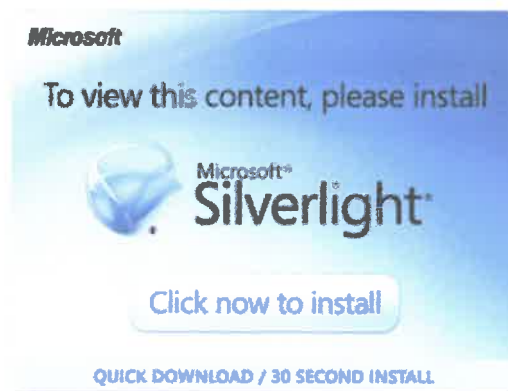
How to get rid of rats

Rats are dangerous! They can ruin your food, destroy things in your home and start electrical fires. Rats and their fleas can carry disease.

- [+] [File a complaint about a rat infestation, rats in toilets and rats associated with illegal dumping of garbage and solid waste](#)
- [+] [Where do rats live outside?](#)
- [+] [Where do rats live inside the home?](#)
- [+] [What foods brings rats into my yard and neighborhood?](#)
- [+] [What do rats eat when they get inside the house?](#)
- [+] [Keep rats away from your home!](#)
- [+] [Keep rats out of your sewer pipes!](#)
- [+] [To kill a rat, use a rat trap!](#)
- [+] [How do I clean an area where rats/mice have already been?](#)
- [+] [Related resources](#)



[Fact sheets and brochures in multiple languages](#)



Learn how to prevent rats from getting into your home and what to do if you find rat droppings. (If the video doesn't play, right-click over box above and select "Run this plug-in" to start the video. Works best in Internet Explorer.)